

Exhibit B

**General Plan Update Final Environmental
Impact Report**

November 2023 | Final Environmental Impact Report
State Clearinghouse No. 2023070105

GENERAL PLAN UPDATE FINAL EIR

for City of Colfax

Prepared for:

City of Colfax

Contact: Emmanuel Ursu, Planning Director
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Prepared by:

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (California Code of Regulations §§ 15000 et seq.).

According to the CEQA Guidelines, Section 15132, the FEIR shall consist of:

- (a) The Draft Environmental Impact Report (DEIR) or a revision of the Draft;
- (b) Comments and recommendations received on the DEIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies comments on the DEIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

This document contains responses to comments received on the DEIR for the Colfax General Plan Update during the public review period, which began September 22, 2023, and closed November 06, 2023. However, the City of Colfax accepted and responded to Placer County Local Agency Formation Commission received November 08, 2023. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. This document and the circulated DEIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

1.2 FORMAT OF THE FEIR

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and content of this FEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the DEIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (A-1 through A-5 for letters received from agencies and organizations, no letters received from members of the public). Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

1. Introduction

Section 3. Revisions to the Draft EIR. This section contains revisions to the DEIR text and figures as a result of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered subsequent to release of the DEIR for public review.

The responses to comments contain material and revisions that will be added to the text of the FEIR. The City of Colfax's staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of DEIRs should be “on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204 (c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

In accordance with CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency (City of Colfax) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses.

This section provides all written responses received on the DEIR and the City's responses to each comment.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the DEIR during the public review period.

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
Agencies & Organizations			
A1	Department of Toxic Substances Control	10/03/23	5
A2	California Governor's Office of Emergency Services	10/19/23	13
A3	California Geological Survey	10/27/23	17
A4	Placer County Air Pollution Control District	11/06/23	21
A5	Placer County Local Agency Formation Commission	11/08/23	27

2. Response to Comments

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2. Response to Comments

LETTER A1 – Department of Toxic Substances Control (4 pages)



Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

October 3, 2023

Emmanuel Ursu
Planning Director City of Colfax
33 S. Main Street
Colfax, CA 95713
planning@colfax-ca.gov

RE: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE CITY OF
COLFAX GENERAL PLAN 2040 UPDATE, DATED SEPTEMBER 22, 2023 STATE
CLEARINGHOUSE # [2023070105](#)

Dear Emmanuel Ursu:

The Department of Toxic Substances Control (DTSC) received a DEIR for the City of Colfax General Plan 2040 Update. The General Plan Update includes comprehensive updates to the required elements under the State Planning and Zoning Law, as well as other optional elements that the City has elected to include in its General Plan. The updated plan consolidates goals and policies in order to guide development and conservation in Colfax through 2040. DTSC has identified that this project may affect multiple sites within the project boundaries therefore, based on our project review, we request the consideration of the following comments:

1. The proposed Project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this Project. This may restrict what construction

A1-1

2. Response to Comments

Emmanuel Ursu
October 3, 2023
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activities are permissible in the proposed Project areas in order to avoid any impacts to human health and the environment.

A1-1

2. Due to the broad scope of the Project, DTSC is unable to determine the locations of the proposed Project site, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the Project site to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the Project site and areas that may fall under DTSC's oversight within the Draft EIR. Once received, DTSC may provide additional comments on the DEIR as further information becomes available. Please review the project area in [Envirostor](#); DTSC's public-facing database.

A1-2

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed, evaluated, and addressed for mining waste. Please visit the DTSC [Abandoned Mine Lands webpage](#) for reference or further guidance.

A1-3

DTSC believes the City of Colfax must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the City of Colfax connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered. Please refer to the [City of Colfax EnviroStor map](#) for additional information about the areas of potential contamination

A1-4

DTSC appreciates the opportunity to comment on the City of Colfax General Plan 2040 Update. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

2. Response to Comments

Emmanuel Ursu
October 3, 2023
Page 3

Sincerely,

A handwritten signature in black ink that reads "Dave Kereazis". The signature is written in a cursive, flowing style.

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control

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Emmanuel Ursu
October 3, 2023
Page 4

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Tamara Purvis
Associate Environmental Planner
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

2. Response to Comments

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2. Response to Comments

A1. Response to Comments from Department of Toxic Substances Control, dated October 3, 2023.

A1-1 The Department of Toxic Substances Control (DTSC) states that the City of Colfax General Plan 2040 Update, may affect multiple sites within the project boundaries. DTSC states the project includes active and nonactive mitigation and clean-up sites, which may be impacted by the project. DTSC states that this could restrict construction activities to avoid potential impacts on human health and the environment.

As noted in Table 4.9-1, *Hazardous Sites in the City of Colfax*, on page 4.9-1 of the DEIR, the table summarizes the type, status, and number of hazardous sites within the city. Table 4.9-1 also notes that the information presented is from the State Water Resources Control Board's GeoTracker map and DTSC's Envirostor map.

In addition, Impact HAZ-4, on page 4.9-7, of the DEIR states that the General Plan Update may lead to development on contaminated sites, potentially posing a public or environmental hazard. However, such development would require a qualified professional to conduct an environmental site assessment to prevent disturbance or substantial harm. Properties contaminated by hazardous substances are regulated at local, state, and federal levels, and must comply with strict laws and regulations for investigation and remediation. Compliance with CERCLA, RCRA, California Code of Regulations, Title 22, and related requirements would remedy all potential impacts caused by hazardous substance contamination.

The information and analysis presented in Section 4.9, *Hazards And Hazardous Materials*, of the DEIR are adequate and no revisions are required.

A1-2 DTSC is unable to determine the location of the proposed project site due to its broad scope. DTSC recommend providing more information on the project site and areas under their oversight in the DEIR. DTSC may provide additional comments on the DEIR as more information becomes available. DTSC asks to review the project area in Envirostor, DTSC's public-facing database.

Section 3.1, *Project Location*, on page 3-1, of the DEIR describes the project location. Figures 3-1a through 3-1c, *Proposed Land Use Designations in Colfax City Limits*, also show the proposed land use changes would occur throughout the city.

As noted in Table 4.9-1, *Hazardous Sites in the City of Colfax*, on page 4.9-1 of the DEIR, the table summarizes the type, status, and number of hazardous sites within the city. Table 4.9-1 also notes that the information presented is from the State Water Resources Control Board's GeoTracker map and DTSC's Envirostor map.

As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

- A1-3 DTSC states that if any sites within the project area or vicinity have been or are suspected to have been used for mining activities, a thorough investigation for mine waste should be conducted. DTSC recommends using the DTSC Abandoned Mine Lands webpage for reference or further guidance.

As noted in Impact HAZ-4, on page 4.9-7, the DEIR states that the General Plan Update may lead to development on contaminated sites, potentially posing a public or environmental hazard. However, such development would require a qualified professional to conduct an environmental site assessment to prevent disturbance or substantial harm. Properties contaminated by hazardous substances are regulated at local, state, and federal levels, and must comply with strict laws and regulations for investigation and remediation. Compliance with CERCLA, RCRA, California Code of Regulations, Title 22, and related requirements would remedy all potential impacts caused by hazardous substance contamination.

After reviewing the DTSC Abandoned Mine Lands webpage, additional information has been added to Section, 4.9.1, *Existing Conditions*, under heading “Hazardous Sites. These changes do not require recirculation as this information does not change any determinations made in the analysis of the DEIR but rather merely clarifies information to an adequate DEIR. See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR.

- A1-4 DTSC believes the City of Colfax must address comments raised to determine if any significant impacts under the CEQA will occur and, if necessary, avoid significant impacts. DTSC recommends the City of Colfax connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered. DTSC asks to refer to the City of Colfax EnviroStor map for additional information about the areas of potential contamination. DTSC appreciates the opportunity to comment on the City of Colfax General Plan 2040 Update.

See response to comments A1-1 through A1-3. The City of Colfax appreciates comments and recommendations from the commenter. This comment will be forwarded to decision-makers for their consideration.

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2. Response to Comments

LETTER A2 – California Governor's Office of Emergency Services (1 page)

From: Raether, Constantin@CalOES <Constantin.Raether@CalOES.ca.gov>
Sent: Thursday, October 19, 2023 11:28 AM
To: Emmanuel Ursu <planning@colfax-ca.gov>
Cc: LaMar-Haas, Victoria@CalOES <Victoria.LaMar-Haas@CalOES.ca.gov>; CalOES Mitigation Planning <mitigationplanning@caloes.ca.gov>; Boemecke, Wendy@CalOES <Wendy.Boemecke@CalOES.ca.gov>
Subject: City of Colfax General Plan Update

Good morning,

The California Governor's Office of Emergency Services (Cal OES) Local Hazard Mitigation Planning Team has taken the time to review the proposed updates/changes to your General Plan. Government Code 65302(g) (8) states "before preparing or revising its Safety Element, each city and county shall consult.... the Office of Emergency Services for the purpose of including information known by and available to the department."

The Cal OES Local Hazard Mitigation Planning Team reviews and compares your current Safety Element hazards against those listed in the most recent Federal Emergency Management Agency (FEMA) approved Placer County Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP).

Our office has reviewed your proposed Safety Element and found no substantive changes to your hazard profiles when compared against the most recent FEMA approved Placer County MJLHMP. Our office has no further comments at this time.

Should you need further assistance or have questions please email our team at mitigationplanning@caloes.ca.gov.

Constantin Raether, Environmental Planner
Local Mitigation Planning | Recovery Directorate
California Governor's Office of Emergency Services



Office: (916) 328-7778
Cell: (916) 715-9408
www.caloes.ca.gov/HMGP

A2-1

2. Response to Comments

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2. Response to Comments

A2. **Response to Comments California Governor's Office of Emergency Services, dated October 19, 2023**

A2-1 The California Governor's Office of Emergency Services (Cal OES) has reviewed proposed updates to the General Plan, following Government Code 65302(g)(8). The team compares the current Safety Element hazards against those listed in the most recent Federal Emergency Management Agency (FEMA) approved Placer County Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP). The Cal OES local Hazard Mitigation Planning Team found no substantive changes to the hazard profiles when compared to the MJLHMP, and has no further comments at this time.

The City of Colfax appreciates comments and recommendations from the commenter. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER A3 – California Geological Survey (1 page)

From: "Zachariasen, Judith@DOC" <Judith.Zachariasen@conservation.ca.gov>
Date: October 27, 2023 at 11:11:23 AM PDT
To: Emmanuel Ursu <planning@colfax-ca.gov>
Cc: OLR@conservation.ca.gov, OPR State Clearinghouse <state.clearinghouse@opr.ca.gov>, "Gomez, DarylAnne@DOC" <DarylAnne.Gomez@conservation.ca.gov>
Subject: City of Colfax General Plan 2040 Update DEIR - SCH No. 2023070105

Dear Emmanuel Ursu,

The California Geological Survey (CGS) has received the Draft Environmental Impact Report (DEIR) for the City of Colfax 2040 General Plan Update. This email conveys the following recommendations from CGS concerning geologic issues related to the project area:

1. Liquefaction Hazards

In the section titled "Geologic Hazards" in Section 4.7.1, the DEIR reports that the city is not located in a liquefaction hazard zone. CGS has not yet evaluated the area in and around the city for liquefaction or earthquake-induced landslide hazard zoning, so the lack of a zone does not indicate a determination that there is no liquefaction hazard. The final EIR and supporting documents should be revised to clarify this fact and should independently address this hazard as it relates to the General Plan proposals.

2. Surface Fault Rupture and Ground Shaking Hazards

The DEIR reports correctly that the City of Colfax does not include any Alquist-Priolo Earthquake Fault Zones mapped by CGS. It reports that the Foothills Fault System is the "major regional geologic feature" in the City of Colfax Planning Area, but states that the CGS Fault Activity Map (Jennings and Bryant, 2010) does not identify Late Quaternary faults "within or in proximity to the city." CGS notes that the Foothills faults system includes several mapped Late Quaternary (<700,000 years old) faults, including the Spenceville, Wolf Creek (aka Highway 49), Deadman, Dewitt, and Giant Gap faults, within 7 to 15 miles on either side of the city (Jennings and Bryant, 2010). Although these faults are not mapped as Holocene-active, and thus are not zoned according to the Alquist-Priolo Earthquake Fault Zoning Act as posing a *surface rupture hazard*, they may pose a ground shaking hazard to the city. The 2023 National Seismic Hazard Maps include the Spenceville-Swain Ravine fault zone as a seismic source for ground motion hazard. Additional information is available at the links below: <https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fc>.

If you have any additional comments or questions, please feel free to call or email.

Thank you,
Judy Zachariasen



Judith Zachariasen, PhD, PG, CEG

Senior Engineering Geologist

Fault Zoning Unit Supervisor

Seismic Hazards Program

California Geological Survey

California Department of Conservation

715 P Street, MS 1900, Sacramento, CA 95814

T: (916) 879-2844

E: judith.zachariasen@conservation.ca.gov

A3-1

A3-2

2. Response to Comments

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2. Response to Comments

A3. Response to Comments from California Geological Survey, dated October 27, 2023.

A3-1 The California Geological Survey (CGS) states that the section titled "Geologic Hazards" in Section 4.7.1, the DEIR reports that the city is not located in a liquefaction hazard zone. CGS has not yet assessed the city's area for liquefaction or earthquake-induced landslide hazard zoning, so the absence of a zone does not imply that there is no liquefaction hazard. The final EIR and supporting documents should clarify this and address the hazard independently, relating to General Plan proposals.

Additional information has been added to Section 4.7.1, *Existing Conditions*, in the DEIR, under heading "Geologic Hazards". These changes does not require recirculation as this information does not change any determinations made in the analysis of the DEIR but rather merely clarifies existing information. Impact 4.7-1 and Impact 4.7-3 still assess the potential impacts from liquefaction hazard for the proposed project. See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR.

A3-2 CGS states that the DEIR reports correctly that the City of Colfax does not include any Alquist-Priolo Earthquake Fault Zones mapped by CGS. The DEIR reports that the Foothills Fault System is the "major regional geologic feature" in the City of Colfax Planning Area, but states that the CGS Fault Activity Map does not identify Late Quaternary faults within or near the city. CGS notes that the Foothills faults system includes several mapped Late Quaternary faults including the Spenceville, Wolf Creek, Deadman, Dewitt, and Giant Gap faults, within 7 to 15 miles on either side of the city. Although these faults are not mapped as Holocene-active, and thus are not zoned according to the Alquist-Priolo Earthquake Fault Zoning Act as posing a surface rupture hazard, they may pose a ground shaking hazard to the city. CGS also notes the 2023 National Seismic Hazard Maps include the Spenceville Swain Ravine fault zone as a seismic source for ground motion hazard.

Additional information has been added to Section 4.7.1, *Existing Conditions*, in the DEIR, under heading "Geologic Hazards". These changes do not require recirculation as this information does not change any determinations made in the analysis of the DEIR but rather merely clarifies existing information. Impact 4.7-1 assesses the potential impacts from faults and ground shaking to occur. Impact 4.7-1 states that adherence with General Plan policies and local requirements would reduce associated with geological hazards to less than significant which this analysis would remain adequate. See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR.

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2. Response to Comments

LETTER A4 – Placer County Air Pollution Control District (2 pages)



110 Maple Street, Auburn, CA 95603 • (530) 745-2330 • Fax (530) 745-2373 • www.placerair.org

Erik C. White, Air Pollution Control Officer

November 6, 2023

City of Colfax
Planning Department
P.O. Box 702
33 S. Main Street
Colfax, CA 95713

SENT VIA: planning@Colfax-ca.gov

Subject: Draft Environmental Impact Report for Colfax General Plan 2040 Update

Dear Mr. Ursu,

The Placer County Air Pollution Control District (District) thanks you for the opportunity to review and comment on the draft Environmental Impact Report (DEIR) for City of Colfax's General Plan 2040 Update. The District has the following comment on the document for your consideration.

In the DEIR's mitigation measure discussion for Air Quality Impact 4.3-1 and 4.3-2, and Greenhouse Gas Impact 4.8-1 and 4.8-2, the discussions all conclude "*No mitigation measures are feasible.*" due to "*Specific details for future development projects are currently unknown.*". Accordingly, the discussions also state that "Future projects would be required to comply with proposed General Plan policies and implement measures when PCAPCD thresholds are exceeded."

A4-1

The District believes that the purpose of this proposed general plan update is to build a blueprint for meeting the City of Colfax (the City) community's long-term version. The general plan's DEIR should contain broad analyses on related environmental impacts with policies and measures to avoid adding additional impacts to communities result from future growths. Once the general plan update is completed, any future projects within the City could then refer to the general plan and tiering its EIR's impact analyses to satisfy CEQA requirement. Therefore, the DEIR should include all feasible measures to mitigate the project's impact to the maximum extent, even the future type of development projects might not be determined at this time.

In addition, the DEIR discussion in Impact 4.3-1 and 4.8-1 indicates the future projects would be required by Colfax Municipal Code Section 16.36.040 to implement mitigation measures, as the way to mitigate the projects impacts. However, no detailed measures are provided per Colfax Municipal Code Section 16.36.040. The District recommends the DEIR to include feasible and considerable mitigation measures that would be applied for all types of future development projects to mitigate air quality and greenhouse emission related impacts within the City jurisdiction. Additional mitigation measures would be determined later for each individual project when PCAPCD thresholds are exceeded. The list of recommended feasible mitigation measures can be found under the District CEQA Handbook's Mitigation Measure Recommendation website¹.

A4-2

¹ PCAPCD CEQA Handbook: <https://www.placerair.org/1807/Mitigation-Measure-Recommendation>

2. Response to Comments

Thank you again for the opportunity to review and comment on the Project's application. If you have any questions, please feel free to contact me at 530-745-2325 or ychang@placer.ca.gov.

Sincerely,



Yushuo Chang
Planning and Monitoring Section Supervisor

2. Response to Comments

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2. Response to Comments

A4. Response to Comments from Placer County Air Pollution Control District, dated November 06, 2023.

A4-1 The Placer County Air Pollution Control District (PCAPCD) refers to the discussion in impact 4.3-1 and 4.3-2 in the Air Quality section and Impact 4.8-1 and 4.8-2 in the Greenhouse Gas section. The PCAPCD states the DEIR should contain broad analyses on related environmental impacts with policies and measures to avoid adding additional impacts to communities result from future growths. PCAPCD states that any future projects within the City could refer to the general plan and tiering its EIR's impact analyses to satisfy CEQA requirement. PCAPCD states the DEIR should include all feasible measures to mitigate the project's impact to the maximum extent, even the future type of development projects might not be determined at this time.

As stated in Section 2.3, *Scope of This Draft EIR*, on page 2-5 the DIER fulfills the requirements for a Program EIR (programmatic) which is more conceptual than a Project EIR with a more general discussion of impacts, alternatives, and mitigation measures. Use of a Program EIR gives the lead agency an opportunity to consider program-wide mitigation measures, as well as greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale. Project level information is not available and the EIR should not engage in speculation about information that may not be known until a later phase, when specific development applications are known. Future development facilities under the General Plan would be subject to subsequent CEQA review that would be prepared including a public hearing process and be subject to discretionary legislative action. As this comment does not describe any inadequacies in the CEQA analysis or conclusion in the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision-makers for their consideration.

A4-2 The PCAPCD states that the DEIR discussion in Impact 4.3-1 and 4.8-1 indicates future projects would be required by Colfax Municipal Code Section 16.36.040 to implement mitigation measures. However, no detailed measures are provided per Colfax Municipal Code Section 16.36.040. The District recommends the DEIR include feasible and considerable mitigation measures that would be applied for all types of future development projects to mitigate air quality and greenhouse emission related impacts within the City jurisdiction. PCAPCD states that future projects will be assessed for additional mitigation measures when PCAPCD thresholds are exceeded, with a list of recommended measures available on the District CEQA Handbook's Mitigation Measure Recommendation website.

Section 16.36.040, Air quality mitigation fees, of the City's Municipal Code mandates that development applications with significant environmental assessments identifying

2. Response to Comments

air quality impacts must be reviewed by the PCAPCD and include recommended mitigation measures. Section 16.36.040 does not present detailed mitigation measures but rather establishes the process of projects identified to have significant air quality impacts be reviewed by the PCAPCD which the agency would then prescribe appropriate mitigation measures. See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR in regard to Impact 4.3-1 and 4.8-1 of the DEIR. These revisions do not constitute a recirculation as they do not add new significant information but merely clarifies the analysis.

2. Response to Comments

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2. Response to Comments

LETTER A5 – Placer County Local Agency Formation Commission (37 pages)

PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION

COMMISSIONERS: November 8, 2023

Cindy Gustafson
Chair (County)

Susan Rohan
Vice Chair (Public)

Joshua Alpine
(Special District)

Trinity Burruss
(City)

Shanti Landon
(County)

Tracy Mendonsa
(City)

Rick Stephens
(Special District)

**ALTERNATE
COMMISSIONERS:**

Jim Holmes
(County)

William Kahri
(Special District)

Jenny Knisley
(City)

Cheri Spriggs
(Public)

COUNSEL:

Michael Walker
General Counsel

STAFF:

Michelle McIntyre
Executive Officer

Amy Engle
Commission Clerk

City of Colfax Planning Department
33 South Main Street
Colfax CA 95713
planning@cofax-ca.gov

Re: City of Colfax General Plan 2040 Update – Draft
Environmental Impact Report Comment Letter

Dear City of Colfax Planning Department:

On September 27, 2023, the Placer County Local Agency Formation Commission (LAFCO) received a Notice of Availability of a Draft Environmental Impact Report (EIR) for the City of Colfax (City or Colfax) General Plan 2040 Update. Comment letters were due November 6, 2023; however, City staff allowed LAFCO, upon its request, a few extra days to provide comments.

Placer LAFCO appreciates the opportunity to comment on the City's General Plan 2040 Update (project) Draft EIR. As a Responsible Agency (RA) under the California Environmental Quality Act (CEQA), LAFCO will use the final General Plan (GP) document and the accompanying EIR to fulfill its regulatory and planning responsibilities under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH). LAFCO looks forward to the completion of the City's GP update, as this work by the City will provide an opportunity for LAFCO to review the City's historical sphere of influence (SOI) and conduct the first service review.

As noted in the draft EIR, the EIR for the GP update is a Program EIR; therefore, LAFCO looks forward to working with the City for future analysis of individual projects and their accompanying environmental review when boundary changes and service extensions are involved.

110 Maple Street Auburn, CA 95603
(530) 889-4097
<https://www.placer.ca.gov/lafco>

2. Response to Comments

LAFCO's comments are divided between statements and information in the Draft EIR and broader comments for the GP planning area that may not have been included in the Draft EIR.

Comments related to statements and information within the Draft EIR

1. Page 3-14 under Project Description: "The intent of this Draft EIR is to evaluate the environmental impact of the project, thereby enabling the City, other responsible agencies, and interested parties to make informed decisions concerning the requested entitlements."

A5-1

As noted above, Placer LAFCO is an RA for the subject project and will issue requested entitlements, such as an SOI update. This entitlement should be clearly identified in the project description. The City may wish to consider listing the SOI update as one approval required by other agencies.

2. Page 4.10-2: "Future water supplies in the city depend on PCWA and its sources for water supplied through the Colfax treatment plant. **The potential supply is sufficient for future development in the city.**" [emphasis added]

A5-2

The City should cite the source for this statement and determination. The City should analyze if the water supply is sufficient for future development in its SOI.

3. Page 4.11-1: "The Colfax Planning Area encompasses approximately 903 acres (1.4 square miles) within the city limits, and 2,056.3 acres (3.2 square miles) within the SOI. The total land area covered by this General Plan is 2,959.3 acres (4.6 square miles)." Page 4.11-3: "Although the City does not propose to annex or de-annex any areas of the SOI as part of the 2040 General Plan, annexation proposals could occur during the buildout horizon of the proposed General Plan."

A5-3

The City's SOI is more than double the size of the existing area within the city limits, yet no planned annexations exist. California Government Code (GC) section 56076 (Attachment A) defines an SOI as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." As noted on page 1, the City's SOI is historical and was adopted when the definition of an SOI was a local agency's ultimate physical boundary and service area.

The City should consider coordinating with LAFCO during the SOI update on a more defined SOI and/or local policies that designate areas within the SOI. For example, some cities and LAFCOs designate areas within SOIs as short-term SOI areas (those that the city anticipates annexing within five years), long-term

2. Response to Comments

SOI areas, and areas of interest. Some municipalities and LAFCOs define “area of interest” as areas where no annexations are planned, but the City has an interest in development that may occur in the adjacent unincorporated areas that affect the City. However, these discussions can occur during the SOI update process, and the City may wish not to include the suggested policy discussion as part of this General Plan Update.

A5-3

4. Page 4.13-2: “As shown in Table 4.13-3, *City of Colfax 2021-2029 Regional Housing Needs Assessment [sic]*, the City of Colfax’s Regional Housing Needs Assessment [sic]¹ (RHNA) for the 2021-2029 planning period is 97 units. The City is required to demonstrate that there is sufficient land to accommodate the RHNA but is not required to physically construct the housing units.”

A5-4

The City should include a vacant land inventory and analysis within the existing city limits to determine if there is sufficient land to accommodate the 97 units.

5. Page 4.14-1: “Through a Cooperative Fire Protection Agreement with the California Department of Forestry and Fire Protection (CAL FIRE), the **Placer County Fire Department and CAL FIRE provide firefighting services to the County** through eight career and five volunteer fire stations (Placer County 2023a). There are three fire stations in the City of Colfax: Stations 30, 36, and 37.” [emphasis added]

A5-5

The City should clarify that the Placer County Fire Department and CAL FIRE provide services to *specific* areas within Placer County because several special districts and cities also provide fire protection services in Placer County.

The City should include a discussion addressing the fact that the contract between the City and Placer County for fire protection services is up for renewal in 2024. Fire contracts between two public agencies may be subject to LAFCO review and approval under GC section 56134 (Attachment B).

6. Page 4.16-1 under **Water Supply and Distribution Systems**: “The Placer County 2020 Urban Water Management Plan states that the 2020 total water use for Zone 3 was 10,720 acre-feet per year (AFY) and is projected to be 11,526 AFY in 2040 (PCWA 2021).” [emphasis added]

A5-6

The City should include the total and projected water supply within the existing city limits and SOI. Page 4.16-5 has more detailed information concerning water demand but no detailed information regarding water supply.

¹ The two uses of “Regional Housing Needs Assessment” should be changed to “Regional Housing Needs Allocation.”

2. Response to Comments

7. Page 4.16-4 under Wastewater Treatment: "The City of Colfax operates a 1.24 million gallons per day (mgd) WWTP in Colfax."

A5-7

The City should describe the wastewater treatment plant's existing demand and capacity. The City should analyze the projected demand for the proposed new development within the current city limits. The City should also study the anticipated service demand based on proposed land use designations within the SOI.

8. Page 4.2-1: "Limited agricultural uses, such as farming and grazing, occur in Colfax; however, there are no parcels in the city that are designated as agricultural land use."

Page 4.2-2 under Impact 4.2-1: "The Planning Area is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the California Important Farmland Finder (DLRP 2022a). As such, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and no impact would occur."

A5-8

Page 4.2-4 under Impact 4.2-4: "**The Planning Area does not contain farmland or agricultural uses**, and there will be no changes to the existing environment that would result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. Therefore, no impact would occur." [emphasis added]

The City should provide a more thorough discussion of this topic. While there may not be lands within the existing city limits that are designated as agricultural land use, there are areas within the SOI (and therefore the planning area) that are presently designated as agricultural land (see Existing Zone Code Figure 3-2b and Figure 3-2c in the Draft EIR).

Furthermore, GC section 56064 (Attachment C) defines prime agricultural land. LAFCO will use this section during its review of the SOI update process. A quick review of the soil types and Storie Index ratings within the City's SOI yields land that qualifies under GC section 56064's definition of prime agricultural land.

A5-9

The City should conduct an analysis using other sources of information, including the United States Department of Agriculture (USDA). The Web Soil Survey mapping tool from USDA may be helpful. The mapping tool is available via this link: <https://websoilsurvey.nrcs.usda.gov/app/>

2. Response to Comments

Comments related to the GP Planning Area

1. Disadvantaged unincorporated community (DUC): GC section 56033.5 (Attachment D) defines a DUC as “inhabited territory, as defined by [GC] Section 56046, or as determined by commission policy, that constitutes all or a portion of a ‘disadvantaged community’ as defined by Section 79505.5 of the Water Code.”

LAFCO must consider DUCs as part of the SOI update and accompanying service review process and as part of annexation and service extension requests. Furthermore, the City must include an analysis concerning DUCs, island, fringe, and legacy communities in its Housing Element pursuant to GC section 65302.10 (Attachment E). Census Tract 220.02 (Attachment F), with an estimated population of 772 and a median income of \$51,389, is a DUC.

A5-10

Shady Glen Mobile Home Park is within the City’s SOI and Census Tract 220.02. On March 6, 2023, the Central Valley Regional Water Quality Control Board issued a Notice of Applicability (NOA) (Attachment G) for the Shady Glen Mobile Home Park WWTP. The residences and primary and secondary wastewater treatment facilities are located approximately one mile from the nearest City wastewater collection manhole. Therefore, it may be necessary for the City to provide services via annexation or an extension of services to respond to an existing or impending threat to the health or safety of the public or residents of the affected territory under GC section 56133 (Attachment H). The City should include an analysis concerning providing services to the Shady Glen Mobile Home Park and the other areas within the DUC through an annexation or a service extension.

2. Social or Economic Communities of Interests: As part of the SOI update process, LAFCO must consider any communities of interest under GC sections 56425 (Attachment I) and 56430 (Attachment J). Suburban Pines, located east of Highway 80, south of Siems Avenue, and north of Iowa Hill Road, may meet the definition of a community of interest or unincorporated island. Unincorporated islands are eligible for the streamlined annexation process through GC section 56375.3 (Attachment K). The City should provide an analysis of the Suburban Pines area and consider identifying the area as a future annexation area.

A5-11

3. Out-of-Area Area Service Extensions: The City should provide an inventory of properties outside city limits that receive city services, such as water, sewer, and other municipal services. GC section 56133 requires the City to request and obtain written approval from LAFCO before extending services outside its jurisdictional boundary. LAFCO will consider and review any previously authorized service extension (with or without LAFCO approval) as part of the SOI and service review process. To streamline the SOI and service review

A5-12

Page 5 of 6

2. Response to Comments

process, the City should conduct an inventory of these services as part of its GP. Services provided outside the city limits must be included in the City's analysis of the existing demand for these services.

A5-12

LAFCO thanks the City of Colfax for the opportunity to comment on its environmental documents prepared for its General Plan 2040 Update. We look forward to working with the City on its SOI and related service review study soon and coordinating future environmental documents for any proposed boundary and service extensions. Please get in touch with LAFCO staff if you have any questions or concerns.

Sincerely,



Michelle McIntyre, MPA
Executive Officer

Attachments:

- A. GC section 56076 – Sphere of influence
- B. GC section 56134 – Provision of new or extended services pursuant to fire protection contract
- C. GC section 56064 – Prime agricultural land
- D. GC section 56033.5 – Disadvantaged unincorporated community
- E. GC section 65302.10 – Review and update of land use element of general plan
- F. Census Tract 220.02
- G. Notice of Applicability
- H. GC section 56133 – Provision of new and extended services outside city or district jurisdictional boundary
- I. GC section 56425 – Determination of spheres of influence
- J. GC section 56430 – Service reviews
- K. GC section 56375.3 – Change of organization or reorganization of certain islands of territory

2. Response to Comments

Attachment A

State of California

GOVERNMENT CODE

Section 56076

56076. "Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.

(Amended by Stats. 1993, Ch. 1307, Sec. 1. Effective January 1, 1994.)

2. Response to Comments

Attachment B

State of California

GOVERNMENT CODE

Section 56134

56134. (a) (1) For the purposes of this section, “fire protection contract” means a contract or agreement for the exercise of new or extended fire protection services outside a public agency’s jurisdictional boundaries, as authorized by Chapter 4 (commencing with Section 55600) of Part 2 of Division 2 of Title 5 of this code or by Article 4 (commencing with Section 4141) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except those contracts entered into pursuant to Sections 4143 and 4144 of the Public Resources Code, that does either of the following:

(A) Transfers responsibility for providing services in more than 25 percent of the area within the jurisdictional boundaries of any public agency affected by the contract or agreement.

(B) Changes the employment status of more than 25 percent of the employees of any public agency affected by the contract or agreement.

(2) A contract or agreement for the exercise of new or extended fire protection services outside a public agency’s jurisdictional boundaries, as authorized by Chapter 4 (commencing with Section 55600) of Part 2 of Division 2 of Title 5 of this code or Article 4 (commencing with Section 4141) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, except those contracts entered into pursuant to Sections 4143 and 4144 of the Public Resources Code, that, in combination with other contracts or agreements, would produce the results described in subparagraph (A) or (B) of paragraph (1) shall be deemed a fire protection contract for the purposes of this section.

(3) For the purposes of this section, “jurisdictional boundaries” shall include the territory or lands protected pursuant to a fire protection contract entered into on or before December 31, 2015. An extension of a fire protection contract entered into on or before December 31, 2015, that would produce the results described in subparagraph (A) or (B) of paragraph (1) shall be deemed a fire protection contract for the purposes of this section.

(b) Notwithstanding Section 56133, a public agency may provide new or extended services pursuant to a fire protection contract only if it first requests and receives written approval from the commission in the affected county pursuant to the requirements of this section.

(c) A request by a public agency for commission approval of new or extended services provided pursuant to a fire protection contract shall be made by the adoption of a resolution of application as follows:

(1) In the case of a public agency that is not a state agency, the application shall be initiated by the adoption of a resolution of application by the legislative body of

2. Response to Comments

the public agency proposing to provide new or extended services outside the public agency's current jurisdictional boundaries.

(2) In the case of a public agency that is a state agency, the application shall be initiated by the director of the state agency proposing to provide new or extended services outside the agency's current jurisdictional boundaries and be approved by the Director of Finance.

(3) In the case of a public agency that is a local agency currently under contract with a state agency for the provision of fire protection services and proposing to provide new or extended services by the expansion of the existing contract or agreement, the application shall be initiated by the public agency that is a local agency and be approved by the Director of Finance.

(d) The legislative body of a public agency or the director of a state agency shall not submit a resolution of application pursuant to this section unless both of the following occur:

(1) The public agency does either of the following:

(A) Obtains and submits with the resolution a written agreement validated and executed by each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service providers consenting to the proposed fire protection contract.

(B) Provides, at least 30 days prior to the hearing held pursuant to paragraph (2), written notice to each affected public agency and recognized employee organization that represents firefighters of the existing and proposed service providers of the proposed fire protection contract and submits a copy of each written notice with the resolution of application. The notice shall, at minimum, include a full copy of the proposed contract.

(2) The public agency conducts an open and public hearing on the resolution, conducted pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5) or the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2), as applicable.

(e) A resolution of application submitted pursuant to this section shall be submitted with a plan which shall include all of the following information:

(1) The total estimated cost to provide the new or extended fire protection services in the affected territory.

(2) The estimated cost of the new or extended fire protection services to customers in the affected territory.

(3) An identification of existing service providers, if any, of the new or extended services proposed to be provided and the potential fiscal impact to the customers of those existing providers.

(4) A plan for financing the exercise of the new or extended fire protection services in the affected territory.

(5) Alternatives for the exercise of the new or extended fire protection services in the affected territory.

2. Response to Comments

(6) An enumeration and description of the new or extended fire protection services proposed to be extended to the affected territory.

(7) The level and range of new or extended fire protection services.

(8) An indication of when the new or extended fire protection services can feasibly be extended to the affected territory.

(9) An indication of any improvements or upgrades to structures, roads, sewer or water facilities, or other conditions the public agency would impose or require within the affected territory if the fire protection contract is completed.

(10) A determination, supported by documentation, that the proposed fire protection contract meets the criteria established pursuant to subparagraph (A) or (B) of paragraph (1) or paragraph (2), as applicable, of subdivision (a).

(f) The applicant shall cause to be prepared by contract an independent fiscal analysis to be submitted with the application pursuant to this section. The analysis shall review and document all of the following:

(1) A thorough review of the plan for services submitted by the public agency pursuant to subdivision (e).

(2) How the costs of the existing service provider compare to the costs of services provided in service areas with similar populations and of similar geographic size that provide a similar level and range of services and make a reasonable determination of the costs expected to be borne by the public agency providing new or extended fire protection services.

(3) Any other information and analysis needed to support the findings required by subdivision (j).

(g) The clerk of the legislative body of a public agency or the director of a state agency adopting a resolution of application pursuant to this section shall file a certified copy of the resolution with the executive officer.

(h) (1) The executive officer, within 30 days of receipt of a public agency's request for approval of a fire protection contract, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request does not comply with the requirements of subdivision (d), the executive officer shall determine that the request is incomplete. If a request is determined incomplete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete.

(2) The commission shall approve, disapprove, or approve with conditions the contract for new or extended services following the hearing at the commission meeting, as provided in paragraph (1). If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(i) (1) The commission shall not approve an application for approval of a fire protection contract unless the commission determines that the public agency will have

2. Response to Comments

sufficient revenues to carry out the exercise of the new or extended fire protection services outside its jurisdictional boundaries, except as specified in paragraph (2).

(2) The commission may approve an application for approval of a fire protection contract where the commission has determined that the public agency will not have sufficient revenue to provide the proposed new or different functions or class of services, if the commission conditions its approval on the concurrent approval of sufficient revenue sources pursuant to Section 56886. In approving a proposal, the commission shall provide that, if the revenue sources pursuant to Section 56886 are not approved, the authority of the public agency to provide new or extended fire protection services shall not be exercised.

(j) The commission shall not approve an application for approval of a fire protection contract unless the commission determines, based on the entire record, all of the following:

(1) The proposed exercise of new or extended fire protection services outside a public agency's jurisdictional boundaries is consistent with the intent of this division, including, but not limited to, the policies of Sections 56001 and 56300.

(2) The commission has reviewed the fiscal analysis prepared pursuant to subdivision (f).

(3) The commission has reviewed any testimony presented at the public hearing.

(4) The proposed affected territory is expected to receive revenues sufficient to provide public services and facilities and a reasonable reserve during the three fiscal years following the effective date of the contract or agreement between the public agencies to provide the new or extended fire protection services.

(k) At least 21 days prior to the date of the hearing, the executive officer shall give mailed notice of that hearing to each affected local agency or affected county, and to any interested party who has filed a written request for notice with the executive officer. In addition, at least 21 days prior to the date of that hearing, the executive officer shall cause notice of the hearing to be published in accordance with Section 56153 in a newspaper of general circulation that is circulated within the territory affected by the proposal proposed to be adopted and shall post the notice of the hearing on the commission's Internet Web site.

(l) The commission may continue from time to time any hearing called pursuant to this section. The commission shall hear and consider oral or written testimony presented by any affected local agency, affected county, or any interested person who appears at any hearing called and held pursuant to this section.

(m) This section shall not be construed to abrogate a public agency's obligations under the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4 of Title 1).

(Amended by Stats. 2016, Ch. 165, Sec. 1. (AB 2910) Effective January 1, 2017.)

2. Response to Comments

Attachment C

State of California

GOVERNMENT CODE

Section 56064

56064. "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

(a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

(b) Land that qualifies for rating 80 through 100 Storie Index Rating.

(c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.

(d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.

(e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

(Amended by Stats. 2007, Ch. 244, Sec. 3. Effective January 1, 2008.)

2. Response to Comments

Attachment D

State of California

GOVERNMENT CODE

Section 56033.5

56033.5. "Disadvantaged unincorporated community" means inhabited territory, as defined by Section 56046, or as determined by commission policy, that constitutes all or a portion of a "disadvantaged community" as defined by Section 79505.5 of the Water Code.

(Added by Stats. 2011, Ch. 513, Sec. 3. (SB 244) Effective January 1, 2012.)

2. Response to Comments

Attachment E

State of California

GOVERNMENT CODE

Section 65302.10

65302.10. (a) As used in this section, the following terms shall have the following meanings:

(1) "Community" means an inhabited area within a city or county that is comprised of no less than 10 dwellings adjacent or in close proximity to one another.

(2) "Disadvantaged unincorporated community" means a fringe, island, or legacy community in which the median household income is 80 percent or less than the statewide median household income.

(3) "Fringe community" means any inhabited and unincorporated territory that is within a city's sphere of influence.

(4) "Island community" means any inhabited and unincorporated territory that is surrounded or substantially surrounded by one or more cities or by one or more cities and a county boundary or the Pacific Ocean.

(5) "Legacy community" means a geographically isolated community that is inhabited and has existed for at least 50 years.

(b) On or before the due date for the next adoption of its housing element pursuant to Section 65588, each city or county shall review and update the land use element of its general plan, based on available data, including, but not limited to, the data and analysis developed pursuant to Section 56430, of unincorporated island, fringe, or legacy communities inside or near its boundaries. The updated land use element shall include all of the following:

(1) In the case of a city, an identification of each island or fringe community within the city's sphere of influence that is a disadvantaged unincorporated community. In the case of a county, an identification of each legacy community within the boundaries of the county that is a disadvantaged unincorporated community, but not including any area within the sphere of influence of any city. This identification shall include a description of the community and a map designating its location.

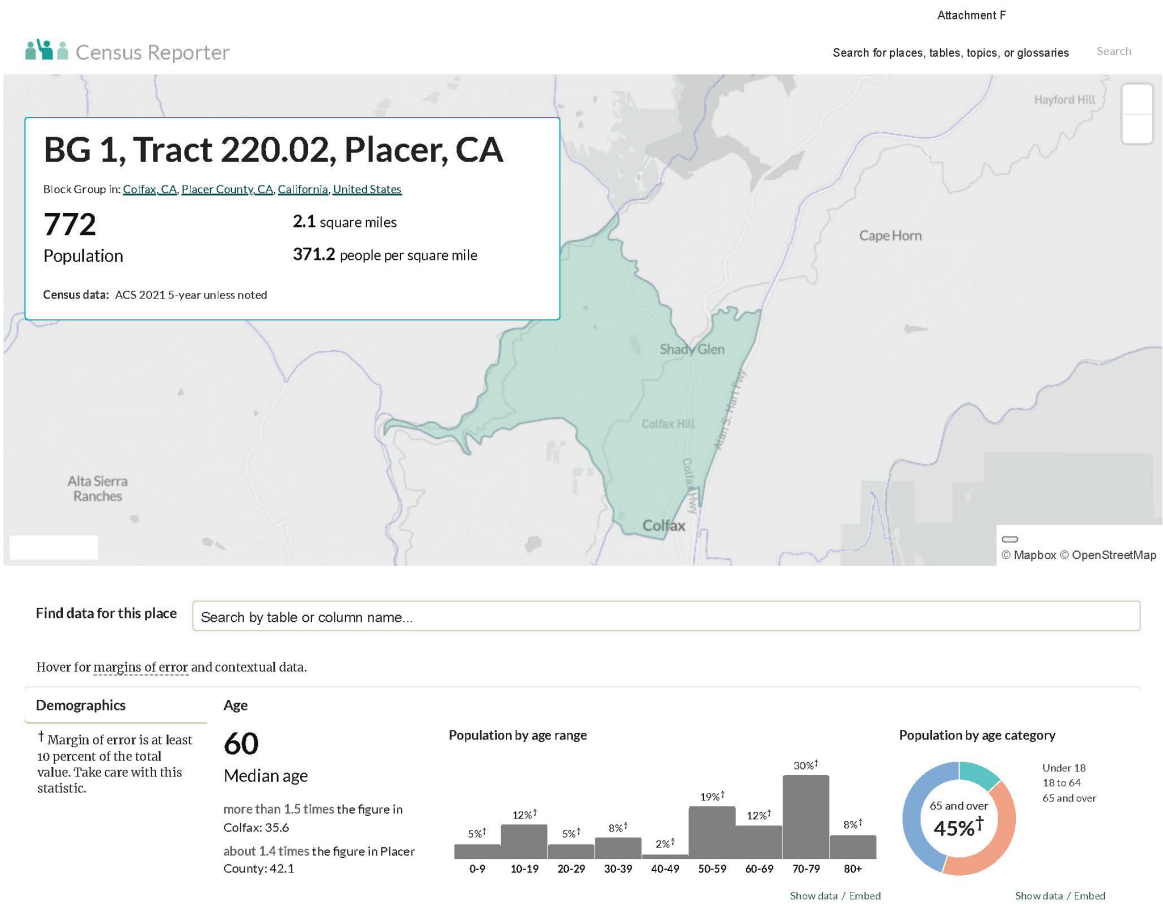
(2) For each identified community, an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies.

(3) An analysis, based on then existing available data, of benefit assessment districts or other financing alternatives that could make the extension of services to identified communities financially feasible.

(c) On or before the due date for each subsequent revision of its housing element pursuant to Section 65588, each city and county shall review, and if necessary amend, its general plan to update the analysis required by this section.

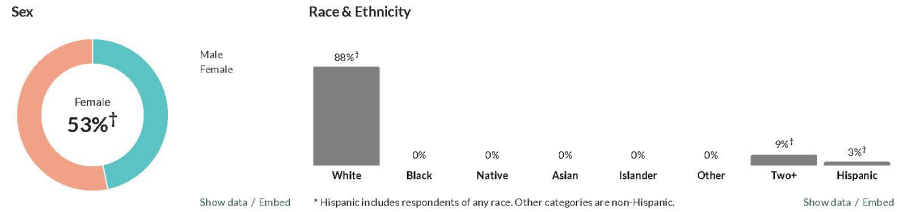
(Amended by Stats. 2012, Ch. 330, Sec. 14. (SB 1090) Effective January 1, 2013.)

2. Response to Comments



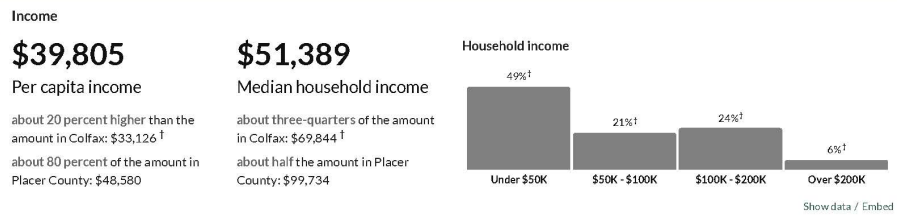
2. Response to Comments

† Margin of error is at least 10 percent of the total value. Take care with this statistic.



Economics

† Margin of error is at least 10 percent of the total value. Take care with this statistic.



Poverty

N/A

Persons below poverty line

Children (Under 18)

Poverty
0%

Poverty
Non-poverty

Show data / Embed

Seniors (65 and over)

Poverty
0%

Poverty
Non-poverty

Show data / Embed

2. Response to Comments

Transportation to work

N/A

Mean travel time to work

Means of transportation to work



Families

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Households

418

Number of households

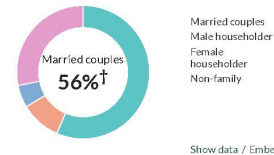
Colfax: 865
Placer County: 149,714

1.9

Persons per household

about two-thirds of the figure in Colfax: 2.7 †
about two-thirds of the figure in Placer County: 2.7

Population by household type



† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Marital status



Marital status, by sex



2. Response to Comments

Fertility

N/A

Women 15-50 who gave birth during past year

Women who gave birth during past year, by age group



Housing

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Units & Occupancy

496

Number of housing units

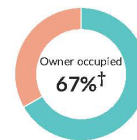
Colfax: 921

Placer County: 170,324

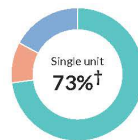
Occupied vs. Vacant



Ownership of occupied units



Types of structure



Year moved in, by percentage of population



Value

† Margin of error is at least 10 percent of the total

\$431,400

Value of owner-occupied housing units



2. Response to Comments

value. Take care with this statistic.

Median value of owner-occupied housing units

about 1.5 times the amount in Colfax: \$294,600

about 80 percent of the amount in Placer County: \$539,400

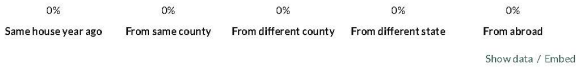


Geographical mobility

N/A

Moved since previous year

Population migration since previous year



Social

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Educational attainment

94.9% High school grad or higher

35% Bachelor's degree or higher

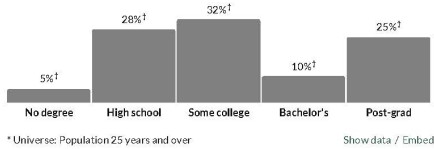
a little higher than the rate in Colfax: 92.5% †

about the same as the rate in Placer County: 94.8%

about double the rate in Colfax: 17.4% †

about 80 percent of the rate in Placer County: 41.6%

Population by highest level of education



Language

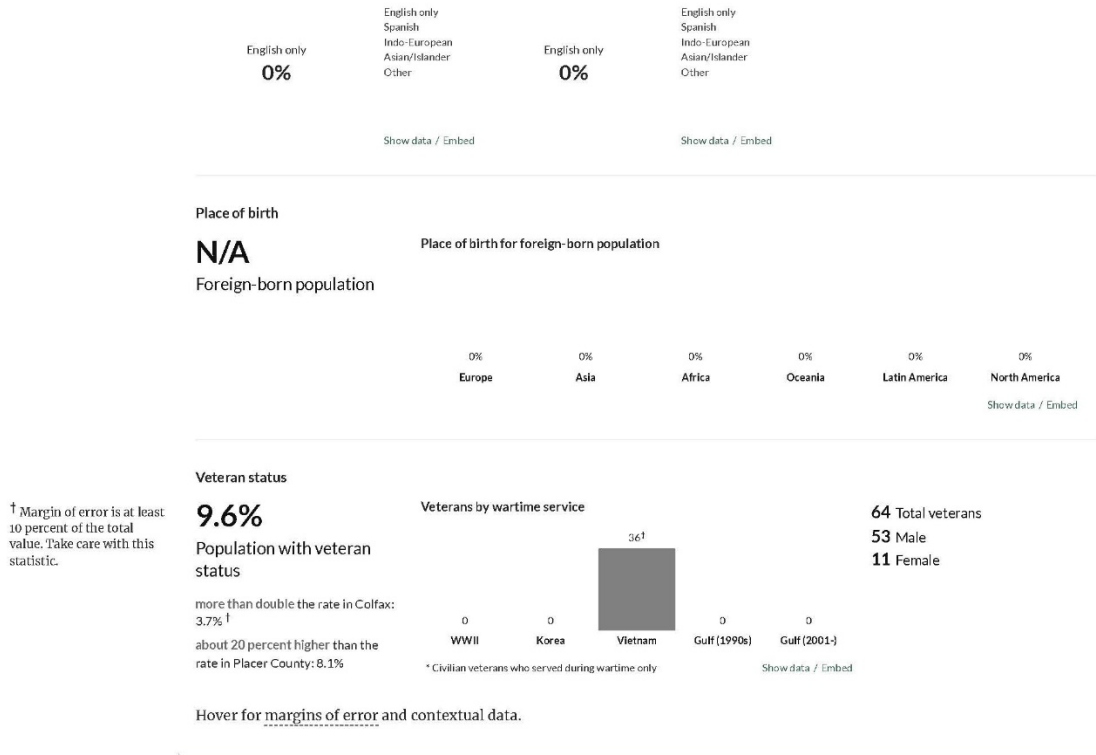
N/A

Persons with language other than English spoken at home

Language at home, children 5-17

Language at home, adults 18+

2. Response to Comments



Citation: U.S. Census Bureau (2021). *American Community Survey 5-year estimates*. Retrieved from *Census Reporter Profile page for BG 1, Tract 220.02, Placer, CA*
<<http://censusreporter.org/profiles/15000US060610220021-bg-1-tract-22002-placer-ca/>>

2. Response to Comments

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2. Response to Comments

Attachment G



Central Valley Regional Water Quality Control Board

6 March 2023

Adriana Smith
Shady Glen Mobile Home Park
4904 Dartford Pl.
Granite Bay, CA 95746

CERTIFIED MAIL
7021-2720-0003-0982-8544

NOTICE OF APPLICABILITY

GENERAL WASTE DISCHARGE REQUIREMENTS FOR
SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS
ORDER WQ 2014-0153-DWQ
FOR
ADRIANA SMITH
SHADY GLEN MOBILE HOME PARK WWTP
PLACER COUNTY

On 8 April 2021, John Panelli on behalf of Panelli Family Irrevocable Trust (hereafter Discharger) submitted a Report of Waste Discharge (RWD), dated 7 April 2021, describing the Shady Glen Mobile Home Park (MHP) wastewater treatment plant (WWTP) in Placer County. On 29 October 2022, the new owner, Adrian Smith, submitted a Form 200 detailing new ownership of the Facility. The Shady Glen MHP and its WWTP are now owned and operated by Adriana Smith (hereafter Discharger) consistent with the details submitted in the 2021 RWD. The Facility provides treatment and disposal service for domestic wastewater generated from 112 manufactured and mobile homes and a laundry room on site. The WWTP discharge has been regulated by Waste Discharge Requirements (WDR) Order 86-187, which was adopted on 26 September 1986. Based on information provided in the RWD, the wastewater treatment system and discharge are consistent with the requirements of the State Water Resources Control Board *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems*, Order WQ 2014-0153-DWQ (General Order). This Notice of Applicability (NOA) serves as formal notice that the General Order is applicable to the WWTF as described below.

You are hereby assigned Order WQ 2014-0153-DWQ-R5364 for the discharge. After WDR Order 86-187 is rescinded, the discharge shall be regulated pursuant to the General Order and this NOA. A copy of the General Order is enclosed and is also available at the [State Water Boards Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/2014-0153-dwq_noas/) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/2014-0153-dwq_noas/).

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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You should familiarize yourself with the entire General Order and its attachments, which describe mandatory discharge and monitoring requirements. The General Order contains operational and reporting requirements by wastewater system type. Sampling, monitoring, and reporting requirements applicable to your treatment and disposal methods must be completed in accordance with the appropriate treatment system sections of the General Order and the attached Monitoring and Reporting Program (MRP) 2014-0153-DWQ-R5364. The Discharger is responsible for all the applicable requirements that exist in the General Order and this NOA.

FACILITY AND DISCHARGE DESCRIPTION

The Facility is located at 450 Gladyscon Road in Placer County as shown on Attachment A, which is attached hereto. The residences and wastewater primary treatment are located on assessor's parcel number (APN) 099-0140-028, while the secondary treatment and wastewater discharge facilities are located along Rollins Lake Road on APNs 099-140-011 and 099-150-005. Under an agreement between the previous owner of the MHP, John Panelli, and the owner of APN 099-150-006, undisinfected treated wastewater was also discharged via sprinklers to that parcel which is directly adjacent to the northeast of the APN 099-150-005. Currently the MHP does not have permission to continue discharge to the -006 parcel, so wastewater discharge to that parcel has been halted.

The MHP is located less than approximately one mile from the nearest City of Colfax wastewater collection system manhole. It has thus far been cost prohibitive both for the City of Colfax and for the Discharger to connect to each other; therefore, wastewater is collected and treated on-site. The site plan is shown on Attachment B, which is attached hereto and is made part of this NOA by reference. The nearest surface water is the intermittent stream in Slaughter Ravine, approximately 1,800 feet to the east, which drains to the North Fork of the American River.

All wastewater generated in the MHP flows by gravity to a package-plant aeration system. Effluent from the package plant is pumped away up the road to two oxidation ponds which are operated in series, with the Upper Pond being first in the series. The Lower Pond is also used for tailwater return collection, with the water pumped back up to the Upper Pond as needed for dispersal. The Upper Pond will overflow to the Lower Pond through a transfer pipe if the water level rises beyond 2 feet below the top of the Upper Pond berm, though this has never happened. In the dry season effluent from the Upper Pond is discharged via sprinklers and drip irrigation to 2.4 acres of land application areas (LAA) upslope of the pond. Discharge to the LAA does not occur when the ground is saturated.

The LAA is located in a wooded area with grasses, vines, and trees where stormwater is impeded from flowing by the dense vegetation and good groundcover but may flow downslope in times of heavy inundation. Stormwater runoff from the land application area typically flows to the Lower Pond. A stormwater culvert runs from the northwest side of Rollins Lake Road under the road and drains into a small ravine along the north-northeast side of the LAA. Stormwater in that culvert comes from the northwest side of the roadway and from the hillside above the road. During large storm events the

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Discharger diverts runoff around the tailwater recapture line because the flows are too much for the pond to handle. The Discharger removes solids, including grit and debris, from the ponds as needed, based on available freeboard. The cleanouts have occurred roughly every four years. Pond dimensions are presented in Table 1, where the working depth excludes 2 feet (ft) of freeboard:

Table 1. Pond dimensions and capacities

Pond Name	Working Depth (ft)	Surface Area (acres)	Volume (gallons)
Upper Pond	5	0.367	500,000
Lower Pond	5	0.326	400,000

FACILITY CHANGES

No changes are planned.

SITE-SPECIFIC REQUIREMENTS AND EFFLUENT LIMITS

Note that the General Order contains prohibitions and specifications that apply to all wastewater treatment systems as well as those that only apply to specific treatment and/or disposal systems. The specific requirements and effluent limits for your treatment system are summarized below.

The wastewater treatment operator must be certified and familiar with the requirements contained in the General Order, this NOA, and the MRP.

Requirements by Wastewater System Type, Section B of General Order

This section applies in its entirety to the Shady Glen Mobile Home Park WWTF with the following site-specific requirements.

B.1 All Wastewater Systems

- a. Flow limit is listed in Table 2 and may be measured either at the inlet or outlet of the aerobic treatment system.

Table 2. Influent Flow Limit

Flow Limit as Monthly Average
15,000 gallons per day (gpd)

- b. Wastewater system setbacks based on B.1.I, Table 3. Measured from the nearest high-water limit (bottom of freeboard) in the ponds, or from high water levels in other bodies of water must be at least 200 ft. from any lake or reservoir and as described in Table 3.

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Table 3. Wastewater System Setback Requirements

Equipment or Activity	Domestic Well (ft)	Flowing Stream (ft)	Ephemeral Stream Drainage (ft)	Property Line (ft)
Aerobic Treatment Unit, Treatment System, or Collection System	150	50	50	5
Wastewater storage and/or treatment ponds (undisinfected secondary recycled water)	150	150	150	50
Drip irrigation (undisinfected secondary recycled water)	150	100	100	50
Spray Irrigation (undisinfected secondary recycled water)	150	100	100	100

B.3 Aerobic Treatment Units

The WWTF utilizes an aerobic treatment unit; therefore Section B.3 of General Order applies in its entirety.

B.5 Pond Systems

The WWTF utilizes a pond system; therefore Section B.5 of General Order applies in its entirety.

B.7 Land Application and/or Recycled Water Systems

The WWTF utilizes a land application system; therefore Section B.7 of the General Order applies in its entirety.

B.8 Sludge/solids Disposal

The WWTP generates sludge and solids that must be disposed of; therefore Section B.8 of General Order applies in its entirety.

Effluent Limitations, Section D of General Order

This section applies in its entirety to the Shady Glen Mobile Home Park WWTF and shall include the following site-specific limitations.

a. Upper Pond Effluent Limitation

Biochemical oxygen demand (BOD) limit: 90 mg/L

b. Effluent Limit Rationale

The pond treatment system is subject to technology performance effluent limits for BOD as specified in the General Order.

Staff evaluated the need for a total nitrogen effluent limit using the

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method contained in the General Order and determined that a nitrogen effluent limit is not required because the monthly average flow will be less than 20,000 gpd.

Technical Report Preparation Requirements, Section E.1 of General Order

The following technical reports shall be submitted as described below:

1. By **1 June 2023** the Discharger shall submit a *Spill Prevention and Emergency Response Plan* (Response Plan) consistent with the requirements of General Order Provision E.1.a.
2. By **1 June 2023** the Discharger shall submit a *Sampling and Analysis Plan* consistent with the requirements of General Order Provision E.1.b.
3. **At least 90 days prior** to any removal, drying, treatment, or disposal of sludge for pond maintenance, the Discharger shall submit a *Sludge Management Plan* consistent with the requirements of General Order Provision E.1.c.

MONITORING AND REPORTING

Upon rescission of WDRs 86-187, the Discharger shall comply with Monitoring and Reporting Program 2014-0153-DWQ-R5364, which is attached hereto and made part of this NOA by reference.

ENFORCEMENT

Please review this NOA carefully to ensure that it completely and accurately reflects the discharge. Discharge of wastes other than those described in this NOA is prohibited.

Prior to making changes to the wastewater strength or generation rate, or to the method of waste disposal, you must contact the Central Valley Regional Water Board to determine if submittal of an RWD is required.

Adriana Smith and Shady Glen Mobile Home Park will generate the waste subject to the terms and conditions of WQ 2014-0153-DWQ-R5364 and will maintain exclusive control over the discharge. As such, Adriana Smith and Shady Glen Mobile Home Park are primarily responsible for compliance with this NOA, MRP, and General Order, with all attachments. Failure to comply with the requirements in the General Order or this NOA could result in an enforcement action as authorized by provisions of the California Water Code.

ANNUAL FEES

The annual fee of is based on the discharge's threat to water quality and treatment system complexity. The fee is due and payable on an annual basis until coverage under the General Order is formally rescinded. Please note that the annual fees are reviewed each year and may change. You must provide written notice if and when the

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wastewater discharge ceases, so that we can terminate coverage under the General Order and no longer bill you.

DOCUMENT SUBMITTAL

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleysacramento@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Shady Glen Mobile Home Park WWTF, Placer County
Program: Non-15 Compliance
Order: 2014-0153-DWQ-R5364
CIWQS Place ID: 256543

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Guy Childs will continue to be your point of contact for any questions about the Waiver. If you find it necessary to make a change to your permitted operations, Guy will direct you to the appropriate Permitting staff. You may contact him at guy.childs@waterboards.ca.gov or by phone at (916) 464-4648.

for Patrick Pulupa
Executive Officer

Attachments: Attachment A, Site Location Map
Attachment B, Site Plan

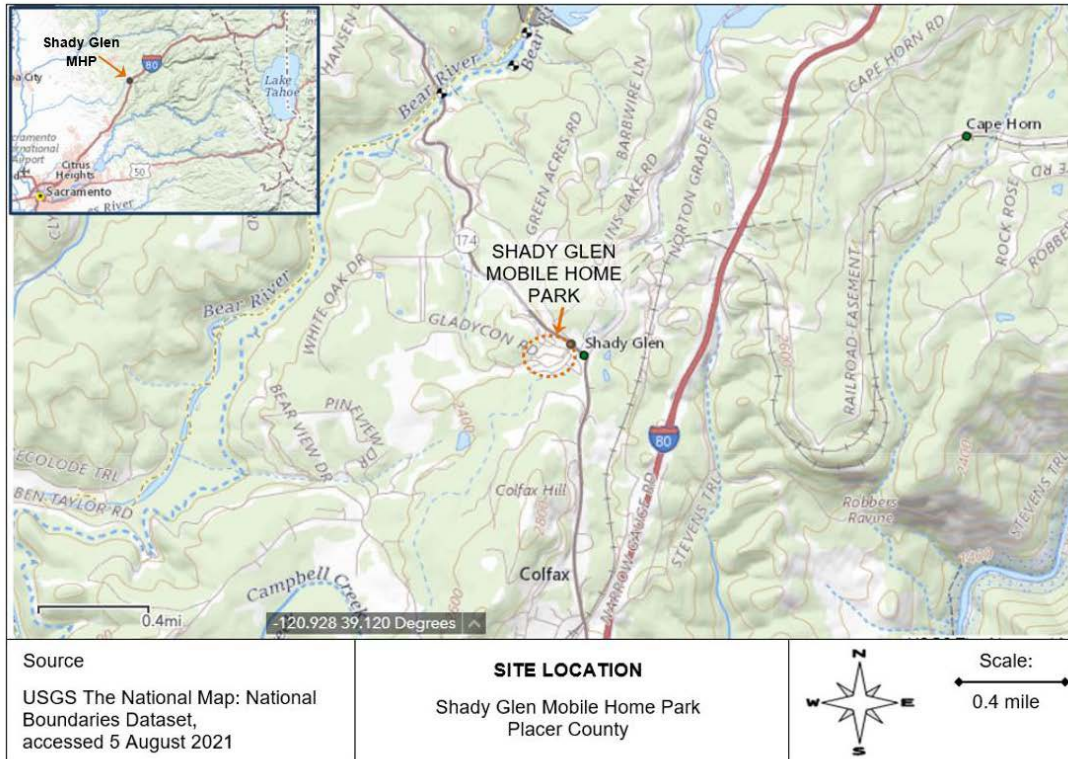
Enclosures: Monitoring and Reporting Program 2014-0153-DWQ-R5364
Water Quality Order WQ 2014-0153-DWQ

cc w/out enc: Laurel Warddrip, State Water Resources Control Board, Sacramento
Mohan Ganapathy, Placer County Env. Health Dept., Auburn
Guy Childs, Central Valley Water Board, Rancho Cordova

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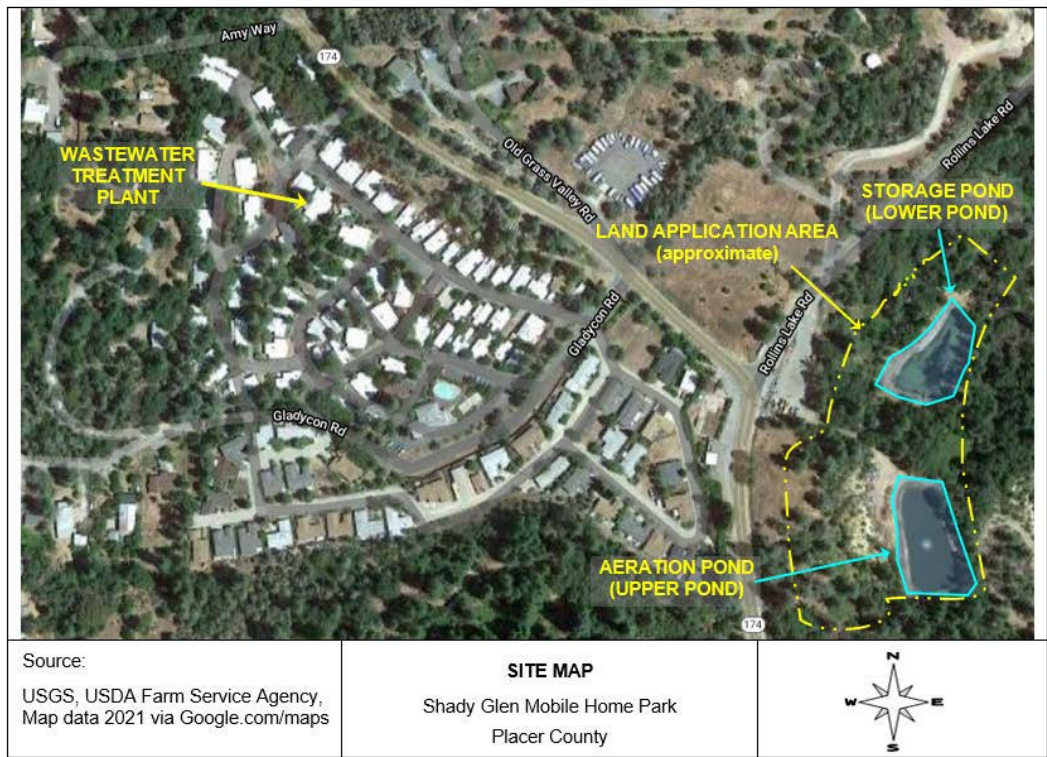
ATTACHMENT A



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ATTACHMENT B



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Attachment H

State of California

GOVERNMENT CODE

Section 56133

56133. (a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission of the county in which the affected territory is located.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:

(1) The entity applying for approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of requests made pursuant to this section to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the extended services. If the new or extended services are disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to any of the following:

(1) Two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.

(2) The transfer of nonpotable or nontreated water.

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(3) The provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.

(4) An extended service that a city or district was providing on or before January 1, 2001.

(5) A local publicly owned electric utility, as defined by Section 224.3 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundary.

(6) A fire protection contract, as defined in subdivision (a) of Section 56134.

(Amended by Stats. 2022, Ch. 37, Sec. 3. (AB 2957) Effective January 1, 2023.)

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Attachment I

State of California

GOVERNMENT CODE

Section 56425

56425. (a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

(b) Prior to a city submitting an application to the commission to update its sphere of influence, representatives from the city and representatives from the county shall meet to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. If an agreement is reached between the city and county, the city shall forward the agreement in writing to the commission, along with the application to update the sphere of influence. The commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section, and the commission shall give great weight to the agreement to the extent that it is consistent with commission policies in its final determination of the city sphere.

(c) If the commission's final determination is consistent with the agreement reached between the city and county pursuant to subdivision (b), the agreement shall be adopted by both the city and county after a noticed public hearing. Once the agreement has been adopted by the affected local agencies and their respective general plans reflect that agreement, then any development approved by the county within the sphere shall be consistent with the terms of that agreement.

(d) If no agreement is reached pursuant to subdivision (b), the application may be submitted to the commission and the commission shall consider a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section.

(e) In determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to each of the following:

- (1) The present and planned land uses in the area, including agricultural and open-space lands.
- (2) The present and probable need for public facilities and services in the area.

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(3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

(5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

(f) Upon determination of a sphere of influence, the commission shall adopt that sphere.

(g) On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.

(h) In determining a sphere of influence, the commission may assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies when reorganization is found to be feasible and if reorganization will further the goals of orderly development and efficient and affordable service delivery. The commission shall make all reasonable efforts to ensure wide public dissemination of the recommendations.

(i) When adopting, amending, or updating a sphere of influence for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.

(j) When adopting, amending, or updating a sphere of influence for a special district, the commission may require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts.

(Amended by Stats. 2012, Ch. 62, Sec. 2. (AB 2698) Effective January 1, 2013.)

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Attachment J

State of California

GOVERNMENT CODE

Section 56430

56430. (a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:

- (1) Growth and population projections for the affected area.
- (2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- (3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- (4) Financial ability of agencies to provide services.
- (5) Status of, and opportunities for, shared facilities.
- (6) Accountability for community service needs, including governmental structure and operational efficiencies.
- (7) Any other matter related to effective or efficient service delivery, as required by commission policy.

(b) In conducting a service review, the commission shall comprehensively review all of the agencies that provide the identified service or services within the designated geographic area. The commission may assess various alternatives for improving efficiency and affordability of infrastructure and service delivery within and contiguous to the sphere of influence, including, but not limited to, the consolidation of governmental agencies.

(c) In conducting a service review, the commission may include a review of whether the agencies under review, including any public water system as defined in Section 116275, are in compliance with the California Safe Drinking Water Act (Chapter 4 (commencing with Section 116270) of Part 12 of Division 104 of the Health and Safety Code). A public water system may satisfy any request for information as to compliance with that act by submission of the consumer confidence or water quality report prepared by the public water system as provided by Section 116470 of the Health and Safety Code.

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(d) The commission may request information, as part of a service review under this section, from identified public or private entities that provide wholesale or retail supply of drinking water, including mutual water companies formed pursuant to Part 7 (commencing with Section 14300) of Division 3 of Title 1 of the Corporations Code, and private utilities, as defined in Section 1502 of the Public Utilities Code.

(e) The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with Section 56425 or 56426.5 or to update a sphere of influence pursuant to Section 56425.

(Amended by Stats. 2011, Ch. 513, Sec. 6.5. (SB 244) Effective January 1, 2012.)

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Attachment K

State of California

GOVERNMENT CODE

Section 56375.3

56375.3. (a) In addition to those powers enumerated in Section 56375, a commission shall approve, after notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:

(1) The change of organization or reorganization is initiated on or after January 1, 2000.

(2) The change of organization or reorganization is proposed by resolution adopted by the affected city.

(3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).

(b) Subdivision (a) applies to territory that meets all of the following requirements:

(1) It does not exceed 150 acres in area, and that area constitutes the entire island.

(2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.

(3) It is surrounded in either of the following ways:

(A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.

(B) Surrounded by the city to which annexation is proposed and adjacent cities.

(4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:

(A) The availability of public utility services.

(B) The presence of public improvements.

(C) The presence of physical improvements upon the parcel or parcels within the area.

(5) It is not prime agricultural land, as defined by Section 56064.

(6) It will benefit from the change of organization or reorganization or is receiving benefits from the annexing city.

(7) This subdivision does not apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.

(8) Notwithstanding any other law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an

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annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.

(c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:

- (1) Is unincorporated territory.
- (2) Contains at least 100 acres.
- (3) Is surrounded or substantially surrounded by incorporated territory.
- (4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.

(d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5.

(Amended by Stats. 2015, Ch. 114, Sec. 10. (AB 1532) Effective January 1, 2016.)

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A5. Response to Comments from Placer County Local Agency Formation Commission, dated November 08, 2023.

A5-1 The Placer County Local Agency Formation Commission (LAFCO) states that it is a responsible agency for this project and will issue requested entitlements such as a Sphere of Influence (SOI) update. LAFCO states that the entitlement should be identified in the project description and the City should consider listed the SOI update as one approval required by other agencies.

See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR. These changes do not require recirculation as this information does not change any determinations made in the analysis of the DEIR but rather merely clarifies information to an adequate DEIR.

A5-2 LAFCO refers to page 4.10-2 which states that the city's future water supplies are reliant on PCWA and its Colfax treatment plant sources, which are considered sufficient for future development. LAFCO recommends that the City cite the source for this statement and analyze if the water supply is sufficient for future development in the SOI.

The DEIR includes the Placer County 2020 Urban Water Management Plan in Section 16, Utilities and Service Systems, on page 6 of the DEIR. the Placer County Water Agency 2020 Urban Water Management Plan is a comprehensive water planning document that describes Placer County Water Agency's water supplies, assesses existing and future supply reliability, forecasts future demands, presents demand management progress, and identifies local and regional cooperative efforts to meet projected water use. According to this plan, the potential supply is sufficient for future development in the city. The Urban Water Management Plan addresses Placer County Water Agency's water management planning efforts to ensure adequate water supply to meet retail and wholesale demands over the next 25 years. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. The City of Colfax will collaborate with LAFCO on the SOI update process. This comment will be forwarded to decision makers for their consideration.

A5-3 LAFCO states the SOI is over double the size of the existing area, but no planned annexations exist. The SOI is historical and was adopted when it was a local agency's ultimate physical boundary and service area. The City should coordinate with LAFCO during the SOI update on a more defined SOI and local policies that designate areas within the SOI. Some cities and LAFCOs designate areas within SOI as short-term, long-term, or areas of interest. However, discussions can occur during the SOI update process, and the City may not include the suggested policy discussion in the General Plan Update.

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The City of Colfax appreciates comments and recommendations from the commenter who correctly notes that the SOI is a historical plan that will need review in the context of the new general plan. The City of Colfax will collaborate with LAFCO on the SOI update process. This comment will be forwarded to decision-makers for their consideration.

- A5-4 LAFCO refers to Table 4.13-3 which presents the City of Colfax's Regional Housing Needs Allocation for the 2021-2029 planning period is 97 units. LAFCO states that the City should include a vacant land inventory and analysis within the existing city limits to determine if there is sufficient land to accommodate the 97 units.

This information is provided in Colfax's 6th Cycle (2021-2029) Housing Element certified July 2021 by the California Department of Housing and Community Development. Under Section 6.3, *Housing Resources Inventory*, of the Colfax Housing Element, presents inventory that identifies suitable sites, with appropriate zoning and development standards, and public services and facilities to facilitate and encourage housing development for households of all income levels. Table 38, *Vacant Land By Zoning*, in page 6-59 of the City's Housing Element, provides a summary of the currently available residentially zoned land throughout the City of Colfax, the allowable density, and which land use designation accommodates each of the five required income levels. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

- A5-5 LAFCO states that the City should clarify that Placer County Fire Department and CAL FIRE serve specific areas within Placer County, as several special districts and cities also provide fire protection services. The City should also discuss the renewal of the contract between the City and Placer County for fire protection services in 2024.

See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR. These changes do not require recirculation as this information does not change any determinations made in the analysis of the DEIR but rather merely adds existing information to an adequate DEIR.

- A5-6 LAFCO refers to the Placer County 2020 Urban Water Management Plan existing and proposed total water use. LAFCO states that the city should include the total and projected water supply within the existing city limits and SOI. LAFCO states page 4.16-5 has more detailed information concerning water demand but no information regarding water supply.

See Section 3.2, *DEIR Revisions in Response to Written Comments*, in the FEIR. These changes do not require recirculation as this information does not change any

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determinations made in the analysis of the DEIR but rather merely adds existing information to an adequate DEIR.

A5-7 LAFCO states that the City should describe the wastewater treatment plant's existing demand and capacity. LAFCO states that the City should analyze the projected demand for the proposed new development within the current city limits and within the SOI.

As discussed under Impact 4.16-1, in page 4.16-4, of the DEIR, the proposed project would increase wastewater production, would require compliance with the city's General Plan Update Land Use Policy 2.2.2 and the Colfax Code of Ordinances Chapter 13.08, Sewer Service System. This policy mandates that all new residential, commercial, and industrial developments in Colfax must be subject to availability of City sewer services and that individuals must pay for connections that alter the sewage discharged from their premises. In addition, as stated in the City's Housing Element on page 6-83, the City's wastewater treatment capacity doesn't hinder housing development during the Housing Element planning period, as it has enough capacity to accommodate approximately 633 equivalent dwelling units, surpassing the City's RHNA of 97 housing units. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. Future projects under the General Plan will comply with all Government Codes and LAFCO regulations. This comment will be forwarded to decision-makers for their consideration.

A5-8 LAFCO states the City should provide a more thorough discussion of agricultural land and uses within the DEIR. LAFCO states that while there may not be lands within the existing city limits that are designated as agricultural land use, there are areas within the SOI (and therefore the planning area) that are presently designated as agricultural land.

As discussed under 4.2.1, *Existing Conditions*, of the DEIR, the Planning Area is primarily classified for residential use, commercial, industrial, and mixed use. Limited agricultural uses, such as farming and grazing, occur in Colfax in the SOI; however, there are no parcels in the city limits that are designated as agricultural land use. The DEIR refers to Figure 2-2, *Land Use Diagram*, in the General Plan which shows agriculture designations are county designated areas and are outside of the SOI. Impact 4.1-1 on page 4.2-2 of the DEIR states the Planning Area is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on the California Important Farmland Finder provided by the California Department of Conservation. The DEIR accurately summarizes the existing conditions as it relates to agricultural uses within the city. Furthermore, as illustrated in Figures 3-1a through 3-1c under 3.3.2 of the DEIR, the proposed land use changes consist of residential, mixed-use, industrial, commercial, parks, and quasi-public facilities land designations; these land use changes would be limited to City limits. As this comment does not

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describe any inadequacies of the DEIR, no changes to the DEIR are necessary. Future projects under the General Plan will comply with all Government Codes and LAFCO regulations. This comment will be forwarded to decision-makers for their consideration.

A5-9

LAFCO states that Government Code (GC) section 56064 defines prime agricultural land and LAFCO will use this section during its review of the SOI update process. LAFCO states that a review of the soil types and Storie Index rating within the City's SOI yields land that qualifies under the GC definition of prime agricultural land. LAFCO recommends the City conduct an analysis using other sources of information, including the United States Department of Agriculture.

Impact 4.2-1 on page 4.2-2 of the DEIR states the Planning Area is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on the California Important Farmland Finder provided by the California Department of Conservation. The City of Colfax appreciates comments and recommendations from the commenter. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. This comment will be forwarded to decision-makers for their consideration.

A5-10

LAFCO defines disadvantaged unincorporated communities (DUC) under GC section 56033.5. LAFCO states that the City must include an analysis concerning DUCs, island, fringe, and legacy communities in its Housing Element pursuant to GC section 65302.10. LAFCO states Shady Glen Mobile Home Park is located within the City's SOI and Census Tract 220.02. The Central Valley Regional Water Quality Control Board has issued a Notice of Applicability for the Shady Glen Mobile Home Park WWTP, stating that the facilities are located near the nearest City wastewater collection manhole. LAFCO states that the city may need to provide services via annexation or extension to address health or safety threats to the public or residents. LAFCO states that the city should analyze the possibility of providing services to the Shady Glen Mobile Home Park and other areas within the DUC through an annexation or service extension.

Section 65302.10(b) mandates that cities and/or counties must review and update their land use element of their general plan before the adoption of their housing element, based on available data, including data and analysis of unincorporated island, fringe, or legacy communities within or near their boundaries. In addition, Placer LAFCO has not yet adopted policies clarifying DUCs as most other LAFCOs have done. As stated in GC section 65302.10(b), this is a requirement of the city's Land Use Element. See response to comment A5-10 in regard to wastewater treatment plant's existing demand and capacity. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary.

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A5-11 LAFCO states they must consider communities of interest under GC sections 56425 and 56430 during the SOI update process. LAFCO notes that Suburban Pines, an unincorporated island east of Highway 80, south of Siems Avenue, and north of Iowa Hill Road, may qualify for streamlined annexation through GC section 56375.3. The City should analyze the Suburban Pines area and consider identifying it as a future annexation area.

Annexation of specific areas or communities outside the city boundaries would be evaluated in subsequent project specific reviews. Project level information is not available and the EIR should not engage in speculation about information that may not be known until a later phase, when specific development applications are known. Future development facilities under the General Plan would be subject to subsequent CEQA review that would be prepared including a public hearing process and be subject to discretionary legislative action. As this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. The City of Colfax will collaborate with LAFCO on the SOI update process. This comment will be forwarded to decision makers for their consideration.

A5-12 LAFCO states that the City should provide an inventory of properties outside city limits that receive city services, such as water, sewer, and other municipal services. LAFCO states that GC section 56133 requires the City to obtain written approval from LAFCO before extending services outside its jurisdictional boundary. LAFCO will review authorized service extensions in the SOI and service review process. LAFCO states that to streamline the process, the City should conduct an inventory of these services as part of its General Plan, including services provided outside city limits in the analysis of existing demand.

Annexation of specific areas or communities outside the city boundaries would be evaluated in subsequent project specific reviews. This comment refers to the General Plan, as this comment does not describe any inadequacies of the DEIR, no changes to the DEIR are necessary. Future projects under the General Plan will comply with all Government Codes and LAFCO regulations. This comment will be forwarded to decision makers for their consideration.

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3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the DEIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the DEIR. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the DEIR.

Page 4.9-1, Section 4.9.1, *Existing Conditions*. The following changes are incorporated under Hazardous Sites heading, in response to Comment A1-3, from DTSC, dated October 3, 2023.

Hazardous Sites

According to the State Water Resources Control Board, there are 34 GeoTracker sites in the city, two of which are open cases. The two open sites include a National Pollutant Discharge Elimination System (NPDES) site and a Cleanup Program Site. The Department of Toxic Substances Control reports three EnviroStor sites in the city, none of which are listed as active. Of the three EnviroStor sites two are listed under DTSC Abandoned Mine Lands; however, both sites are inactive. Table 4.9-1, Hazardous Sites in the City of Colfax, summarizes the type, status, and number of hazardous sites within the city.

Page 4.7-1, Section 4.7.1, *Existing Conditions*. The following changes are incorporated under Geologic Hazards heading, in response to Comment A3-1 and A3-2, from CGS, dated October 27, 2023.

Geologic Hazards

The major regional geologic feature in the Planning Area is the Foothills Fault System, a major zone of faulting in the basement rock in the western Sierra Nevada. The fault system extends from the Melones Fault Zone on the east to the westernmost exposure of metamorphic rocks west of the Bear Mountain Fault Zone. These faults are not considered to be active and the relative risk of earthquakes in this region is considered to be lower than in other areas of the state. The California Geological Survey's (CGS) Fault Activity Map of California ~~does~~

3. Revisions to the Draft EIR

~~not~~ identify Holocene and/or Late Quaternary age faults (displacement within the last 700,000 years) within or in proximity to the city, including the Spenceville, Wolf Creek, Deadman, Dewitt, and Giant Gap Faults, within 7 to 15 miles on either side of the City. ~~However, A~~ pre-quaternary fault in the Gillis Hills fault system runs through the Planning Area, as shown in the CGS Fault Activity Map (CGS 2023a). The city is not within or adjacent to an Alquist-Priolo Earthquake Fault Zone (CGS 2023b). The city is also not within a liquefaction hazard zone (CGS 2023b). CGS has not yet evaluated the area in and around the city for liquefaction or earthquake-induced landslide hazard zoning, so the lack of zone does not indicate a determination that there is no liquefaction hazard.

Page 4.3-11, Section 4.3, *Air Quality*. The following revisions are made under Impact 4.3-1, in response to Comment A4-2, from PCAPCD, dated November 06, 2023

Projects estimated to exceed PCAPCD significance thresholds are required to implement mitigation measures to reduce air pollutant emissions as much as feasible. Such measures would be required to be implemented per PCAPCD Colfax Municipal Code Section 16.36.040 and could include the requirement that all construction equipment employ the use of the most efficient diesel engines available, which are able to reduce NOX, PM10, and PM2.5 emissions by 60–90 percent (e.g., EPA-classified Tier 3 and/or Tier 4 engines), and/or that construction equipment be equipped with diesel particulate filters. Other PCAPCD recommended air pollutant reduction measures include, but are not limited to, the following:

- The fueling of all off-road and portable diesel-powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- The prohibition of all on- and off-road diesel equipment from idling for more than five minutes and the posting of signs in the designated queuing areas and/or job sites to remind drivers and operators of the five-minute idling limit.
- The prohibition of diesel idling within 1,000 feet of sensitive receptors.

Page 4.3-19, Section 4.3, *Air Quality*. The following revisions are made under Impact 4.3-5, in response to Comment A4-2, from PCAPCD, dated November 06, 2023

Per the PCAPCD (2017), if a land use project proposes any of the above type of land uses, which have the potential to cause significant odor impacts, the odor impacts should be identified and discussed in the environmental document so mitigation measures may be identified. These guidelines further state that the most effective mitigation strategy is to provide a sufficient distance, or buffer zone, between the source and the receptor(s). The greater the distance between an odor source and receptor, the less odor impact when it reaches the receptor. The PCAPCD CEQA Handbook (2017) provides an Odor Screening Distances table that lists recommended buffer distances for a variety of odor-generating facilities. Consideration of PCAPCD's recommended buffer distances would be determined ~~required~~ for all future development identified to have significant air quality impacts under the proposed General Plan per Section 16.36.040 of the City Municipal Code, which requires incorporation, as conditions of approval, of PCAPCD-recommended mitigation measures.

3. Revisions to the Draft EIR

Page 4.8-1, Section 4.3, *Air Quality*. The following revisions are made under Impact 4.8-1, in response to Comment A4-2, from PCAPCD, dated November 06, 2023.

Projects estimated to exceed PCAPCD significance thresholds are required to implement mitigation measures to reduce GHG emissions as much as feasible. Such measures that would be required to be implemented per PCAPCD CEQA Handbook ~~Colfax Municipal Code Section 16.36.040~~ include, but are not limited to, the following:

- The fueling of all off-road and portable diesel-powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- The prohibition of all on- and off-road diesel equipment from idling for more than five minutes and the posting of signs in the designated queuing areas and/or job sites to remind drivers and operators of the five-minute idling limit.
- The use of electrified equipment when feasible.

Page 3-14, Chapter 3, *Project Description*. The following revisions are made under 3.3.5, *Intended Uses of the EIR*, in response to Comment A5-1, from LAFCO, dated November 08, 2023.

The intent of this Draft EIR is to evaluate the environmental impact of the project, thereby enabling the City, other responsible agencies, and interested parties to make informed decisions with respect to the requested entitlements. Placer County Local Agency Formation Commission is a Responsible Agency for the proposed project and will issue requested entitlements, such as an SOI update.

Page 4.14-1, Section 4.14, *Public Services, Parks, and Recreation*. The following revisions are made under 4.14.1, *Existing Conditions*, under Fire Protection heading in response to Comment A5-5, from LAFCO, dated November 08, 2023.

Fire Protection

Through a Cooperative Fire Protection Agreement with the California Department of Forestry and Fire Protection (CAL FIRE), the Placer County Fire Department and CAL FIRE provide firefighting services to the County through eight career and five volunteer fire stations (Placer County 2023a). There are three fire stations in the City of Colfax: Stations 30, 36, and 37. Placer County Fire Department and CAL FIRE provide services to specific areas within Placer County because several special districts and cities also provide fire protection services in Placer County. The City of Colfax and Placer County Fire Department's fire protection services contract is up for renewal in 2024.

Page 4.16-1, Section 4.16, *Utilities and Service Systems*. The following revisions are made under 4.16.1, *Existing Conditions*, under Water Supply and Distribution Systems heading in response to Comment A5-6, from LAFCO, dated November 08, 2023.

Water Supply and Distribution Systems

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Placer County Water Agency

Domestic water for the City of Colfax is provided by the Placer County Water Agency (PCWA). The City of Colfax lies within PCWA's Service Zone 3, which is served by water purchased from the Pacific Gas and Electric Company (PG&E) by PCWA. There are about 29 miles of treated water piping and 2.3 million gallons of treated storage in Zone 3. PCWA's Zone 3 includes the communities of Applegate, Weimar, Meadow Vista, Colfax, Gold Run, Monte Vista, Dutch Flat, and Alta and surrounding areas and extends from Upper Zone 1 ~~(i.e., City of Auburn and surrounding communities)~~ up to nearly 4,000 feet and is characterized by Sierraforest climate with warm summers, cold wet winters, and occasional snow. Precipitation at these elevations is significant. Spring runoff from the higher elevations, above 4,000 feet, is the backbone of PCWA's water supply system. The Placer County 2020 Urban Water Management Plan states that the 2020 total water use for Zone 3 was 10,720 acre-feet per year (AFY) and is projected to be 11,526 AFY in 2040 (PCWA 2021). Zone 3's existing surface water supply is provided by Yuba and Bear Rivers and provides a 25,000 acres-foot per year maximum for domestic and irrigation use. The City of Colfax also obtains existing surface water supply provided by Canyon Creek through Pre-1914 Appropriative Right (S000959) agreement which provides a 40 cubic feet per second maximum for domestic and irrigation use.

3. Revisions to the Draft EIR

3.3 DEIR REVISIONS

The following are additional revisions that have been made to the Draft EIR. These changes do not present new information and the analysis is consistent with the newly revised impact discussion therefore these changes do not constitute recirculation of the EIR.

Page 4.16-2, Section 4.16.1, *Existing Conditions*. The following revisions are made under the Solid Waste heading.

Solid Waste

Solid waste collection services would be provided by Placer County. Placer County is separated into four franchise areas that are serviced by the two franchise haulers. The City of Colfax is serviced by the Auburn Placer Disposal Transfer Station and Eastern Regional Landfill Material Recovery Facility (MRF) and Transfer Station, which is a program of Tahoe Truckee Sierra Disposal Company Inc. is a County-owned facility. (Placer 2023; ERLMRF 2023). The Eastern Regional Landfill MRF has a maximum permit capacity of 600 tons per day (Cal Recycle 2023a).

Page 10.1-3, Section 10.1, *Regulatory Framework*. The following revisions are made under the Porter-Cologne Water Quality Act heading.

State Regulations

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (Water Code sections 13000 et seq.) is the basic water quality control law for California. Under this Act, the State Water Resources Control Board (SWRCB) has ultimate control over state water rights and water quality policy. In California, the EPA has delegated authority to issue NPDES permits to the SWRCB. The SWRCB, through its nine RWQCBs, carries out the regulation, protection, and administration of water quality in each region. Each regional board is required to adopt a water quality control plan, or basin plan, that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water-quality conditions and problems. The City of ~~Colfax~~ Redding ~~is within the Sacramento River Basin and~~ is under the jurisdiction of the Central Valley RWQCB (Region 5). The Central Valley RWQCB Region is divided into three basins—the Sacramento River Basin, San Joaquin River Basin, and Tulare Lake Basin.

Page 3, Section 16, *Utilities and Service Systems*. The following revisions are made under the Senate Bill 1383-California's Short-Lived Climate Pollutant Reduction Act heading.

Senate Bill 1383- California's Short-Lived Climate Pollutant Reduction Act

California's Short-Lived Climate Pollutant Reduction law, often called SB 1383, establishes methane reduction targets for California. SB 1383 regulations went into effect on January 1, 2022. The regulations aim to divert 50% of organic waste from landfills below 2014 levels by 2020 and 75% by 2025. CalRecycle is implementing

3. Revisions to the Draft EIR

the regulations and has established an additional target that not less than 20% of currently disposed edible food is recovered for human consumption by 2025. SB 1383 also requires that jurisdictions conduct education and outreach on organics recycling to all residents, businesses (including those that generate edible food that can be donated), haulers, solid waste facilities, local food banks, and other food recovery organizations. Placer County adopted Ordinance No. 6128-B in 2022 to amend Placer County Code Chapter 8, Article 8.32, Section 8.32.110 to include requirements for haulers, as required by SB 1383. Redding is on track to be in full compliance of SB 1383 by spring of 2024.

Page 1, Section 2, *Agriculture and Forestry Resources*. The following revisions are made under the Farmland Mapping and Monitoring Program heading.

Farmland Mapping and Monitoring Program

The California Natural Resources Agency is charged with restoring, protecting, and maintaining the state's natural, cultural, and historical resources. The State Department of Conservation (DOC) provides technical services and information to promote informed land use decisions and sound management of the State's natural resources. DOC manages the Farmland Mapping and Monitoring Program (FMMP), which supports agriculture throughout California by developing maps and statistical data for analyzing land use impacts to farmland. FMMP publishes a field report for each county in the state. The most recent field report for Placer ~~Shasta~~ County was published in 2018. The field report categorizes land by agricultural production potential, according to the following classifications.

Page 1, Section 9, *Hazards and Hazardous Materials*. The following revisions are made under the United States Environmental Protection Agency heading.

Federal Regulations

United States Environmental Protection Agency

At the federal level, the chief environmental regulator is the US Environmental Protection Agency (EPA), whose mission is to protect human health and the environment. ~~Butte County is designated within EPA Region IX, which includes Arizona, California, Hawaii, and New Mexico.~~ The EPA maintains responsibility for cleanup of federal lands and waterways, and the State holds regulatory authority for all other lands.

Page 4-5, Section 9, *Hazards and Hazardous Materials*. The following revisions are made under the California Fire Safety Regulations heading.

California Fire Safety Regulations

There are number of State regulations pertaining to fire hazards, including the following.

- Public Resources Code Fire Safe Regulations. Section 4290 of the Public Resources Code (PRC) covers Fire Safe Regulations, establishing minimum road standards; signing for streets, roads, and buildings; private water supply resources; and wildland fuel modification. Section 4290 works in conjunction with

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building construction development standards in State Responsibility Areas (SRAs), which are State-identified lands or areas for which the California Department of Forestry and Fire Protection (CAL FIRE) has the primary responsibility to manage the public safety during a fire incident. SRAs are defined based on land ownership, population density, and land use. ~~In Butte County, SRAs primarily consist of private property outside of incorporated areas and outside of the valley floor.~~ For example, CAL FIRE does not have responsibility for densely populated areas, the valley area, or lands administered by the federal government. In addition, Section 4291 of the PRC requires annual defensible space of 100 feet to be provided around all structures in or adjoining any mountainous area or land covered with forest, brush, grass, or other flammable material.

- Wildland-Urban Interface Code. The California Building Commission adopted the Wildland-Urban Interface Codes in late 2005 with an effective date of January 2008. These new codes include provisions for ignition-resistant construction standards in fire-prone areas. More specifically, new buildings in any fire hazard severity zone within SRAs, any locally designated Very High Fire Hazard Severity Zone (VHFHSZ), or any Wildland-Urban Interface Fire Area must meet the requirements in the new codes. As part of the code revision process, fire hazard severity zones were evaluated and updated. The updated fire hazard severity zones are used by building officials to determine appropriate construction materials for new buildings in the wildland-urban interface. These zones are also used by property owners to comply with natural hazards disclosure requirements at the time of property sale, including wildland areas that may contain substantial forest fire risks and hazards, and VHFHSZs. These fire hazard severity zones are also used by local governments when updating their Safety Elements.
- Uniform Fire Code. This code may be adopted by counties and local jurisdictions with amendments and provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for access, water supply, fire protection systems, and the use of fire-resistant building materials. However, the Office of the State Fire Marshal (SFM), along with other State agencies, is in the process of developing and proposing a new Building and Fire Code for California using the 2006 International Building Code (IBC) and the International Fire Code (IFC) as the base document. Many jurisdictions choose to adopt their own version, ~~as is the case in Butte County.~~

Page 4.8-11, Section 4.8, *Greenhouse Gas Emission*. The following revisions are made under Impact 4.8-3.

Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS) mandate and changes in the corporate average fuel economy standards. Development projects accommodated under the proposed project are required to adhere to the programs and regulations identified by the Scoping Plan and implemented by state, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32, SB 32, and AB 1279. Future development projects would be required to comply with these state GHG emissions reduction measures because they are statewide strategies. For example, new buildings under the proposed project would be required to meet the CALGreen and Building Energy Efficiency Standards in effect at the time when applying for building permits. Furthermore, as discussed under the discussion for ~~Impact GHG-1,~~ Impact 4.8-2 the proposed project includes General Plan Update policies that would help reduce GHG

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emissions and therefore help achieve GHG reduction goals. Implementation of the proposed project would not obstruct implementation of the CARB Scoping Plan, and impacts would be less than significant.

Page 4.13-2, Section 4.13, *Population and Housing*. The following revisions are made under the Regional Housing Needs Assessment heading.

Regional Housing Needs ~~Assessment~~

As shown in Table 4.13-3, *City of Colfax 2021-2029 Regional Housing Needs ~~Assessment~~ Allocation*, the City of Colfax's Regional Housing Needs ~~Assessment~~ Allocation (RHNA) for the 2021-2029 planning period is 97 units. The City is required to demonstrate that there is sufficient land to accommodate the RHNA but is not required to physically construct the housing units.

TABLE 4.13-3 CITY OF COLFAX 2021–2029 REGIONAL HOUSING NEEDS ASSESSMENT ALLOCATION		
Income Category	Number of Units	Percentage
Very Low	17	17.5%
Low	11	11.3%
Moderate	21	21.7%
Above Moderate	48	49.5%
Total	97	100%

Appendix

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